

NAYS—2

Kucinich

Paul

ANSWERED "PRESENT"—2

Capuano

Frank (MA)

NOT VOTING—15

Beauprez

Harris

Ney

Case

Herseth

Sabo

Cole (OK)

Keller

Sanders

Cubin

Kennedy (RI)

Strickland

Evans

Moore (KS)

Watson

□ 1320

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table

#### PERSONAL EXPLANATION

Ms. HARRIS. Mr. Speaker, on rollcall No. 455, on Ordering the Previous Question Providing for consideration of the bill (H.R. 4844) to amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the U.S., I am not recorded, due to travel delay. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 456, on Agreeing to the Resolution providing for consideration of the bill (H.R. 4844), I am not recorded, due to travel delay. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 457, on the Motion to Suspend the Rules and Agree to the Resolution Recognizing the centennial anniversary on August 5, 2006, of the Iranian constitution of 1906, I am not recorded, due to travel delay. Had I been present, I would have voted "aye."

#### PERSONAL EXPLANATION

Mr. COLE of Oklahoma. Mr. Speaker, I was unavoidably detained during three votes. Had I been present for rollcall vote No. 455, on ordering the previous question, I would have voted "aye";

Rollcall vote No. 456, on agreeing to H. Res. 1015, I would have voted "aye"; and rollcall vote No. 457, on agreeing to H. Res. 942, I would have voted "aye."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 5450) to provide for the National Oceanic and Atmospheric Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5450

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) The term "Administration" means the National Oceanic and Atmospheric Administration.

(2) The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(3) The term "Secretary" means the Secretary of Commerce.

#### SEC. 3. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—There shall be in the Department of Commerce an agency known as the National Oceanic and Atmospheric Administration.

(b) MISSION.—The mission of the Administration is to understand the systems of the Earth's oceans and atmosphere and predict changes in the Earth's oceans and atmosphere and the effects of such changes on the land environment, to conserve and manage coastal, ocean, and Great Lakes ecosystems to meet national economic, social, and environmental needs, and to educate the public about these topics.

(c) FUNCTIONS.—The functions of the Administration shall include—

(1) collecting, through observation and other means, communicating, analyzing, processing, and disseminating comprehensive scientific data and information about weather and climate, solar and geophysical events on the Sun and in the space environment, and about the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(2) operating and maintaining a system for the storage, retrieval, and dissemination of data relating to weather and climate, solar and geophysical events on the Sun and in the space environment, and about the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(3) using observational data and technologies developed by other Federal agencies to improve the Administration's operations;

(4) conducting and supporting basic and applied research, development, and technology transfer as may be necessary to carry out the mission described in subsection (b);

(5) issuing weather, water, climate, space weather, tsunami, and other forecasts and warnings related to Earth's oceans and atmosphere;

(6) coordinating efforts of Federal agencies with respect to meteorological services;

(7) understanding the science of Earth's climate and related systems, and undertaking research and development to enhance society's ability to plan for and respond to climate variability and change;

(8) protecting, restoring, and managing the use of, the coasts, oceans, and Great Lakes through ecosystem-based research, development, demonstration, and management;

(9) administering public outreach and education programs and services to increase scientific and environmental literacy about weather and climate, solar and geophysical events on the Sun and in the space environment, and the coasts, oceans, Great Lakes, upper reaches of estuaries, and hydrologic systems;

(10) providing, as appropriate and in cooperation with the Secretary of State, representation at all international meetings and conferences relating to the mission of the Administration, including meteorological, climate, and Earth and ocean observing issues;

(11) any other function assigned to the Administration by law; and

(12) such other functions as are necessary to accomplish the mission described in subsection (b).

#### SEC. 4. ADMINISTRATION LEADERSHIP.

(a) ADMINISTRATOR.—

(1) IN GENERAL.—There shall be, as the Administrator of the Administration, an Under Secretary of Commerce for Oceans and Atmosphere. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall be paid at the rate of basic pay for level III of the Executive Schedule.

(2) FUNCTIONS.—The Administrator shall be responsible for—

(A) general management;

(B) policy development and guidance;

(C) budget formulation, guidance, and execution;

(D) serving as the Department of Commerce official for all ocean and atmosphere issues with other elements of the Department of Commerce and with other Federal agencies, State, tribal, and local governments, and the public; and

(E) such other duties with respect to the Administration as the Secretary may prescribe.

(3) DELEGATION OF AUTHORITY.—The Administrator may, except as otherwise prohibited by law—

(A) delegate any functions, powers, or duties of the Administrator to such officers and employees of the Administration as the Administrator may designate; and

(B) authorize such successive redelegations of such functions, powers, or duties within the Administration as the Administrator considers necessary or appropriate.

(4) AUTHORITIES.—

(A) IN GENERAL.—As may be necessary or proper to carry out the Administration's functions under this Act or as otherwise provided by law, the Administrator may—

(i) promulgate rules and regulations;

(ii) enter into and perform contracts, leases, grants, and cooperative agreements with Federal agencies, State and local governments, Indian tribes, international organizations, foreign governments, educational institutions, nonprofit organizations, and commercial organizations;

(iii) use, with their consent, and with or without reimbursement, the services, equipment, personnel, and facilities of other departments, agencies, and instrumentalities of the Federal Government; and

(iv) conduct education and outreach in direct support of the mission described in section 3(b).

(B) EXCEPTION.—The authorities conferred on the Administrator by this paragraph do not include the authority to contract for services that are an inherently governmental function as defined in section 5 of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

(b) ASSISTANT SECRETARY FOR OCEANS AND ATMOSPHERE.—

(1) IN GENERAL.—There shall be, as Deputy Administrator of the Administration, an Assistant Secretary of Commerce for Oceans and Atmosphere. The Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretary shall be the Administrator's first assistant for purposes of subchapter III of chapter 33 of title 5, United